



Greg A. Foley, Executive Director

KANSAS
State Conservation Commission

Kathleen Sebelius, Governor

**MINUTES OF THE STATE CONSERVATION COMMISSION MEETING
November 20, 2005**

1. The State Conservation Commission meeting was called to order by Rodney Vorhees, Chairman and Area I Commissioner at 2:05 p.m., Sunday, November 20, 2005, at the Airport Hilton, Wichita, KS.

2. ATTENDANCE:

Ted Nighswonger, Area I Commissioner
Richard Neville, Area III Commissioner
Rod Vorhees, Area V Commissioner
Harold Klaege, USDA, NRCS

Andy Larson, Area II Commissioner
John Wunder, Area IV Commissioner
Matt Scherer, Division of Water Resources
Dan Devlin, KSU Research & Extension

Greg A. Foley, Executive Director
Don Jones, Water Quality Program Manager
Donna Meader, Program Consultant
Rob Reschke, Riparian & Wetland Coord.
Hakim Saadi, Watershed Programs Coordinator

Scott Carlson, Assistant Director
Dee Turner, District Program Coordinator
Jon Ungerer, State Buffer Coordinator
Mark Heim, Fiscal Administrator

Other Guests:
Ralph Dick, Barber County Landowner
Mike Beam, Kansas Livestock Association
Mike Collinge, Chairman, Kansas Livestock Association

3. APPROVAL OF AGENDA:

- a. Amendments:
 - 8 e.: Review and possible action on Multi Purpose Small Lakes Program contract.
 - 5: Approval of the financial report.

Motion by Dick Neville to approve the agenda as amended. Seconded by Ted Nighswonger. Motion carried.

4. MINUTES OF PREVIOUS MEETING:

Motion by John Wunder to approve minutes of the September 12, 2005 meeting, as mailed. Seconded by Ted Nighswonger. Motion carried.

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5. FINANCIAL REPORT:

Motion by John Wunder to approve the FY 2006 financial report for the period July 1, 2005 to September 30, 2005. Seconded by Ted Nighswonger. Motion carried. A copy of the financial report is attached to the minutes.

6. COMMUNICATIONS AND ANNOUNCEMENTS:

- a. The SCC received a request from Ralph Dick requesting a reconsideration for cost-share assistance for a failed practice which received state cost-share.
- b. Information was provided that detailed the NACD annual convention in Houston, TX.
- c. The SCC received correspondence from the Osage County Conservation District addressing concerns and ideas to deal with potential FSA office closures.

7. UNFINISHED BUSINESS:

- a. The status of the FY 2006 and 2007 budget was reviewed. Greg Foley, Scott Carlson and Mark Heim met with the State Budget Director to appeal several State Water Plan budgeted items. The SCC along with the natural resource agency Secretaries and Directors receiving State Water Plan dollars, are planning on a joint session with the budget director to address the needs with one common voice. The Governor's budget recommendations will be announced in early January.
- b. Staff and Commissioners reviewed SCC roles and responsibilities during the KACD Annual Meeting.
- c. The dates and locations for the 2006 Workshops are as follows:

Area I	March 7	Hays
Area II	March 8	Garden City
Area III	March 9	Salina
Area IV	March 15	Topeka
Area V	March 14	Iola
- d. Staff updated the Commission on technical assistance delivery for the Riparian and Wetland Protection Program and EQIP Contribution Agreement.
- e. Staff reviewed the status of the amended Watershed Dam Construction Program (WDCP) Kansas Administrative Regulation (K.A.R.) development. The WDCP regulations are in the public comment period and the public hearing is scheduled for February 1, 2006 in Topeka. The amendments address a FY 2005 legislative proviso dealing with dam rehabilitation cost-share.

Staff also reviewed the status of amendments to the Multi Purpose Small Lakes (MPSL) Program. A draft of the regulations is currently in review by state agencies. These regulations will address the renovation of lakes used for public water supply.

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- f. Motion by Dick Neville to revoke Kansas Administrative Regulations 11-11-1 through 11-11-7, the rules for the Irrigation Transition Assistance Program. Seconded by John Wunder. Motion carried.

8. NEW BUSINESS:

- a. The commission continued discussion on the Ralph Dick cost-share appeal. Motion by Dick Neville to not allow Mr. Dick additional cost-share for his project and accept the repair of his failed system as adequate in accordance with cost-share guidelines for the practice. Seconded by Ted Nighswonger. Motion carried.
- b. Motion by Ted Nighswonger to extend encumbered NPSPCP FY 2004 livestock waste contracts to May 15, 2006. Seconded by John Wunder. Motion carried.
- c. Motion by John Wunder to extend encumbered NPSPCP FY 2003 contract number 15 from Morris County to May 15, 2006. Seconded by Dick Neville. Motion carried.
- d. Motion by Ted Nighswonger to extend encumbered RWPP FY 2004 Jackson County Conservation District contracts 6, 7, 10, 11, and 12 as recommended by the Jackson County Conservation District to May 15, 2006. Seconded by John Wunder. Motion carried.
- e. Motion by Dick Neville to not allow re-enrollment into the Buffer Initiative, expiring federal filter strip/riparian buffer contracts that are expiring and being re-enrolled. Seconded by Ted Nighswonger. Motion carried.
- f. Motion by Andy Larson to revise Multi-Purpose Small lake contract # 82 between the Public Wholesale Water Supply District #13 and the SCC to place all state funding obligations under the flood control component for reimbursement. Seconded by Ted Nighswonger. Motion carried.
- g. Motion by Ted Nighswonger to authorize Andy Larson and one staff member to attend the NACD Annual Meeting in Houston January 29 through February 2, 2006 in Houston, Texas. Seconded by Dick Neville. Motion carried.

Motion by Ted Nighswonger to authorize Greg Foley to attend the NACD CRP meeting in Washington, D.C. December 4 -6, 2005. Seconded by Dick Neville. Motion carried.

- h. Dennis Baker reviewed the FY 2005 Land Reclamation Program Award Candidates with the Commission.

9. REPORTS:

- a. Harold Klaege State Conservationist, presented the NRCS Report. A copy of the report is attached to the minutes.
- b. Matt Scherer provided the DWR report in David Pope's absence. On February 21-22, 2006 the DWR will hold their annual Dam Safety Conference in Wichita. The DWR will be hosting the annual State Association of Dam Safety Officials meeting in Olathe May 7-9, 2006.

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- c. Dan Devlin announced a new director of the SW Kansas Experiment Station in Garden City. KSU Researchers are studying dust and odor problems generated by feedlots in conjunction with other Midwest universities.
- d. Dee Turner provided an update on the NRCS Contribution Agreement.

10. NEXT MEETING:

The next regular Commission meeting is scheduled for February 13, 2006 in Topeka and will begin at 9:00 a.m.

11. ADJOURN:

Motion by Andy Larson to adjourn. Seconded by Ted Nighswonger. Motion carried. Meeting adjourned at 5:53 p.m.

Greg A. Foley
Executive Director

STATE CONSERVATION COMMISSION
FY 2006 QUARTERLY FINANCIAL REPORT
JULY 1, 2005 - SEPTEMBER 30, 2005

PROGRAM/FUND		Appropriation/ Allocation	Total Expenditures	% of Funds Expended	Funds Committed/ Encumbered	% of Committed Funds	Uncommitted Balance
1.	STATE GENERAL FUND						
	a. Office operations (1000)	664,008.85	163,243.72	24.6%	2,500.00	0.4%	498,265.13
	TOTAL - STATE GENERAL FUND	664,008.85	163,243.72	24.6%	2,500.00	0.4%	498,265.13
2.	STATE WATER PLAN FUND						
	a. Water Resources Cost-Share - (1200)						
	(1) CSIMS Cost-Share Assistance	3,493,609.50	289,808.49	8.3%	2,046,165.22	58.6%	1,157,635.79
	(2) Office Operations	115,130.00	21,793.35	18.9%	10,033.02	8.7%	83,303.63
	(3) Reserve	450,515.43	0.00	0.0%	0.00	0.0%	450,515.43
	Sub-total	4,059,254.93	311,601.84	7.7%	2,056,198.24	50.7%	1,691,454.85
	b. Water Resources TA - TSP Employees - (1205)	259,100.00	41,408.39	16.0%	0.00	0.0%	217,691.61
	c. Non Point Source Pollution Control - (1210)						
	(1) Cost-Share Assistance	2,416,891.00	298,543.03	12.4%	992,940.86	41.1%	1,125,407.11
	(2) Office Operations	77,986.00	9,843.70	12.6%	4,399.50	5.6%	63,742.80
	(3) Technical Assistance (Conservation District)	530,804.00	404,921.78	76.3%	38,201.40	7.2%	87,680.82
	(4) Reserve	55,636.43	0.00	0.0%	0.00	0.0%	55,636.43
	Sub-total	3,081,317.43	713,308.51	23.1%	1,035,541.76	33.6%	1,332,467.16
	d. Aid to Conservation Districts - (1220)	1,044,000.00	1,004,134.32	96.2%	39,865.68	3.8%	0.00
	e. Watershed Dam Construction - (1240)						
	(1) Cost-Share Assistance - 1240	302,499.00	42,505.57	14.1%	259,993.43	85.9%	0.00
	(2) Watershed Dam Restoration - 1240	750,000.00	0.00	0.0%	0.00	0.0%	750,000.00
	(3) Cost-Share Assistance - 1245	50,000.00	0.00	0.0%	50,000.00	100.0%	0.00
	Sub-total	1,102,499.00	42,505.57	3.9%	309,993.43	28.1%	750,000.00
	f. KS Water Quality Buffer Initiative CSIMS C/S - (1250)	487,203.88	0.00	0.0%	197,210.19	40.5%	289,993.69
	g. Kansas Water Quality Buffer Initiative - (1255)						
	(2) Buffer Initiative Coordinator	35,000.00	0.00	0.0%	35,000.00	100.0%	0.00
	(3) Office Operations	5,000.00	847.98	17.0%	0.00	0.0%	4,152.02
	Sub-total	40,000.00	847.98	2.1%	35,000.00	87.5%	4,152.02
	h. Riparian and Wetland Protection - (1260)						
	(1) Demonstration Projects/KWO Projects	192,235.99	7,499.94	3.9%	33,021.59	17.2%	151,714.46
	(2) Office Operations	66,000.00	6,039.17	9.2%	3,087.50	4.7%	56,873.33
	Sub-total	258,235.99	13,539.11	5.2%	36,109.09	14.0%	208,587.79

	PROGRAM/FUND	Appropriation/ Allocation	Total Expenditures	% of Funds Expended	Funds Committed/ Encumbered	% of Committed Funds	Uncommitted Balance
	i. MPSL - (1265)	236,333.00	0.00	0.0%	0.00	0.0%	236,333.00
	TOTAL - STATE WATER PLAN FUND	10,567,944.23	2,127,345.72	20.1%	3,709,918.39	35.1%	4,730,680.12
3.	STATE ECONOMIC DEVELOPMENT INITIATIVES FUND -1900						
	a. Conservation Easements (1300)	31,250.00	0.00	0.0%	0.00	0.0%	31,250.00
	b. MPSL (1310)	50,000.00	0.00	0.0%	0.00	0.0%	50,000.00
	TOTAL - STATE ECONOMIC DEVELOPMENT INITIATIVES FUND	81,250.00	0.00	0.0%	0.00	0.0%	81,250.00

	PROGRAM/FUND	Fee Deposit Accounts	Total Expenditures	% of Funds Expended	Funds Committed/ Encumbered	% of Committed Funds	Uncommitted Balance
4.	LAND RECLAMATION FEE FUND - (2542)						
	a. Office Operations	108,385.51	34,974.36	32.3%	2,587.50	2.4%	70,823.65
	b. American Express Credit Card Fund (9453-9400)	2,611.16	66.75	2.6%	0.00	0.0%	2,544.41
	TOTAL - LAND RECLAMATION FEE FUND	110,996.67	35,041.11	31.6%	2,587.50	2.3%	73,368.06
5.	BUFFER PARTICIPATION INCENTIVE FUND KDWP (2517)	150,000.00	0.00	0.0%	0.00	0.0%	150,000.00
6.	KWO-RW CSIMS DEMO PROJECTS - (2522)	3,448.46	0.00	0.0%	3,448.46	100.0%	0.00
7.	FEDERAL FUNDS - 3914						
	a. KAWS Projects CSIMS C/S & Oper (EPA) (3620)	1,799.41	0.00	0.0%	700.00	38.9%	1,099.41
	b. KWO - CSIMS C/S & Special Proj (EPA) (3630)	14,400.00	0.00	0.0%	14,400.00	0.0%	0.00
	c. EPA-Wetland Protection (3640)	109,529.05	10,598.30	0.0%	30,495.48	0.0%	68,435.27
	d. EPA-KDHE-KAWS Wetland Protection (3650)	61,686.60	0.00	0.0%	3,757.70	0.0%	57,928.90
	TOTAL- FEDERAL FUNDS - 3914	187,415.06	10,598.30	5.7%	49,353.18	0.0%	127,463.58
8.	FEDERAL FUNDS - 3915						
	a. EPA-NPS Operations (KDHE) (3730-67400)	94,739.00	5,756.67	6.1%	0.00	0.0%	88,982.33
	b. EPA-Buffer Partnership (KDHE) (3730-67600)	21,025.02	4,293.38	20.4%	0.00	0.0%	16,731.64
	TOTAL- FEDERAL FUNDS - 3915	115,764.02	10,050.05	8.7%	0.00	0.0%	105,713.97
9.	NRCS CONTRIBUTION AGREEMENT - (3917-3800)	41,699.58	41,699.58	100.0%	0.00	0.0%	0.00
10.	COUNTY NRCS CONTRIBUTION AGREEMENT - (3917-3810)	29,991.40	0.00	0.0%	0.00	0.0%	29,991.40
11.	MOTOR VEHICLE FUND - (6118-6000)	32,794.31	995.05	3.0%	0.00	0.0%	31,799.26



United States Department of Agriculture

Natural Resources Conservation Service

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**NRCS HIGHLIGHTS OF ACTIVITIES
for the
KANSAS ASSOCIATION OF CONSERVATION DISTRICTS
EMPLOYEES' ORGANIZATION**

**WICHITA, KANSAS
NOVEMBER 20, 2005**

The Fiscal Year (FY) 2006 budget allowances have not been received but should be received within the next few weeks. Once we receive, we will finalize our performance and business plans and be able to make significant decisions on staffing and other financial obligations.

PERSONNEL

Reassignments: Matthew T. Powe, District Conservationist, Iola
(from Soil Conservationist, South Hutchinson)

PROGRAMS

Conservation Security Program (CSP)

Public information meetings have been held in all watersheds (Lower South Fork Solomon, Middle Smoky Hill, Coon-Pickerel). Additional meetings will be held after the Secretary of Agriculture announces the 2006 sign-up.

Training has begun for field office personnel and SWAT team members located in the watersheds.

Environmental Quality Incentives Program (EQIP)

Ranking information for 2006 applications has been distributed to field offices. Application ranking period cutoff is set for January 20, 2006. Funding decisions cutoff will be March 10, 2006.

The EQIP Self-Assessment Tool that applicants will be required to complete and return to the NRCS field office to make program application has been distributed to Kansas field offices.

In 2006 Ground and Surface Water Conservation (GSWC) funds will be made available in designated Quick Response Areas (QRA) to convert irrigated cropland to non-irrigated cropland. Incentive payments of \$100/acre for three years are authorized on acres that qualify.

Land must have been irrigated at least two of the last five years and the acreage benchmark water usage must meet or exceed the minimum use guideline of 66 percent.

We have a cooperative agreement with the State Conservation Commission (SCC) for the design and installation technical assistance of streambank protection measures to control sediment erosion above federal reservoirs. There were seven projects (all in Area 4) for the FY 2005 signup.

Emergency Watershed Protection Program (EWP)

Kansas received a request for EWP assistance from the North Topeka Drainage Board to repair flood damage. The damage was caused by extensive flooding in early October. NRCS is currently working with the Board to determine the proper course of action. Another Kansas EWP project, a damaged floodwater retarding structure in Greenwood County, remains on the National EWP funding wait list. Work on this project will begin when Kansas NRCS receives funds.

Farm and Ranch Lands Protection Program (FRPP)

A FRPP symbolic signing ceremony is being planned for December 16, 2005, for the first two FRPP easements filed in Kansas. The signing ceremonies will be held in Riley County and Chase County. Work continues on two additional easements which are to be closed by the end of the calendar year.

Grassland Reserve Program (GRP)

GRP will not be funded in FY 2006, and there will not be a sign-up. However, NRCS will continue to accept applications in anticipation that the U.S. Congress will fund the program in future fiscal years. In the three years (FY 2003 through FY 2005) that GRP had been funded, Kansas NRCS used \$7.5 million to approve 75 applications covering nearly 29,000 acres (85 percent were easements).

Watershed Operations

Construction is continuing on Whitewater River Watershed, Sites 17 and 29, in Harvey and Butler counties and on North Black Vermillion Watershed, Site 4, in Marshall County.

Project agreements were signed in FY 2005 for construction of North Sector Upper Walnut Sites 8 and 12 in Butler County and Lower Elk River Site 20 in Elk County.

Construction bids were received by the watershed district to build North Sector Upper Walnut Watershed, Site 12, in Butler County. Construction is scheduled to begin next spring.

Presently, we are not working on any geologic investigations or designs due budget constraints.

Watershed Planning

PL-566 watershed planning assistance is continuing in the Marmaton Watershed in Bourbon, Allen and Crawford counties to address local concerns including flooding, flood damage, water quantity/quality, and aquatic resource issues.

Currently, four alternatives are being evaluated to determine what effect each will have on the environment and to meet the sponsor's objectives. These alternatives include impoundments, land treatment, non-structural measures, and the no-action alternative.

Watershed Rehabilitation

In FY 2005 we processed 13 requests for watershed dam rehabilitation assessments; one was determined not eligible for the program, NRCS completed two "in house," and we contracted with private engineering firms to complete the remaining ten. We are planning to review many of the reports with the watershed district sponsors in the near future. Sand Creek Watershed in Harvey County requested funding for watershed rehabilitation planning assistance on one structure.

Wetlands Reserve Program (WRP)

Applications for WRP have been received for FY 2006. A total of 26 applications were received by the ranking cutoff date November 4th. Once financial assistance dollars are received from our National Office, funding decisions will be made. WRP appraisals will follow a new format for 2006.

Wildlife Habitat Incentives Program (WHIP)

Ranking information for 2006 WHIP-Essential and WHIP-General applications has been distributed to field offices for use. Application ranking period cutoff for both WHIP-Essential and WHIP-General is set for February 17, 2006. Funding decisions for both will be March 3, 2006.

WHIP-General funds in 2006 will once again be made to the NRCS administrative area level. Allocations will be made based on the same formulas used in 2005. Funding decisions on applications will be based on ranking within the NRCS administrative area boundaries.

WHIP-Essential applications will continue to be ranked on a statewide basis according to those areas designated as "essential" for the lesser and greater prairie chicken. Funding will be the maximum allowed (15 percent of the 2006 Kansas financial assistance allocation).

TECHNOLOGY

Architect and Engineer (A&E) Contracting - Three contractors have completed the design of 18 livestock manure and wastewater handling and storage systems. They have 21 more producer designs in progress. Presently, we are contracting for installation services on one site in Kearny County that was designed by a Technical Service Provider (TSP).

Electronic Field Office Technical Guide (eFOTG) -

- NRCS continues to update and automate engineering design tools and worksheets and post them on our eFOTG website. We have posted updated Conservation Practice Standard 580, Streambank and Shoreline Protection.
- We are in the process of final publication of the design criteria for pipes and their loadings as it applies to conservation practices such as Pond and Underground Outlet.

- Three waste treatment or manure management standards are being reviewed for publication:
 - Solid/Liquid Waste Separation Facility
 - Amendments for Treatment of Agricultural Waste
 - Waste Treatment

The hazard classification of our 800 project dams in the National Dam Inventory is presently being updated. During February to September 2005, we evaluated and updated the classification of 397 dams.

- The current classification of 69 dams is higher than the design standard. These dams presently may not meet the new classification design requirements. The breakdown is as follows: 32 designed as low hazard are now classified as high hazard; 26 dams designed as significant hazard are now classified as high hazard; and 11 dams designed as low hazard are now classified as significant hazard.
- The current classification of 55 dams is lower than the design standard. These dams presently exceed the new classification design requirements. The breakdown is as follows: 1 dam that was designed as high hazard is now classified as significant hazard; 1 dam that was designed as high hazard is now classified as low hazard; and 53 dams that were designed as significant hazard are now classified as low hazard.
- We have identified 361 project dams in the inventory for which the hazard classification was last updated in 2002. To keep the inventory current, the classification of these dams needs to be updated in 2006, which represents a significant workload for the engineers and others supporting this effort. Based on the 2002 update data, the breakdown of this list is: 3 high hazard dams, 26 significant hazard dams, and 322 low hazard dams.

OTHER

NRCS met with the Kansas Grazing Lands Coalition. Discussion centered on the contract that NRCS has with Top Drawer Communications (a private firm) to promote grassing lands initiatives in Kansas.

NRCS is currently working with Pheasants Forever to assist with a Habitat Team to work in a four-county area covering Lincoln, Russell, Mitchell, and Osborne counties. The habitat team will concentrate on maintenance, management, and planting practice application on new and existing Conservation Reserve Program contracts.

NRCS continues to work with Kansas State University and the Kansas Department of Agriculture in addressing Environmental Protection Agency issues on air quality as it relates to prescribed burning.